

**Snell & Wilmer**  
L.L.P.  
LAW OFFICES

15 West South Temple, Suite 1200  
Gateway Tower West  
Salt Lake City, Utah 84101  
(801) 257-1900  
Fax: (801) 257-1800  
www.swlaw.com

Denise A. Dragoo (801) 257-1998  
ddragoo@swlaw.com

Ms. Mary Ann Wright  
Utah Division of Oil, Gas & Mining  
1694 West North Temple  
Salt Lake City, Utah 84116

**RECEIVED**

APR 05 2002

DIVISION OF  
OIL, GAS AND MINING

April 3, 2002

*Via E-Mail and Facsimile*

SALT LAKE CITY, UTAH

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

DENVER, COLORADO

LAS VEGAS, NEVADA

**RE: Lila Canyon Extension Application, Horse Canyon Mine C/007/013, Southern Utah Wilderness Alliance's Request for an Informal Conference**

Dear Ms. Wright:

On behalf of UtahAmerican Energy, Inc. ("UEI"), we are in receipt of Herb McHarg's letter of March 15, 2002, and your letter of response dated March 26, 2002, regarding Southern Utah Wilderness Alliance's ("SUWA's"), request for an informal conference in the above-entitled matter. As we have discussed, SUWA's letter dated March 15, 2002, is inadequate to request an informal conference pursuant to Utah Code Ann. § 40-10-13(2) and R645-300-123. SUWA fails to provide a summary of the issues to be raised at the conference as required by R645-300-123.110: "the request will . . . briefly summarize the issues to be raised by the requestor at the conference" (emphasis added).

Furthermore, pursuant to R645-300-123.200, an informal conference must be held within 30 days following the receipt of the request. Mr. McHarg's letter was received on March 21, 2002; therefore, if the request was not otherwise defective, an informal conference would need to be held within 30 days, i.e., no later than April 22, 2002. Contrary to this mandatory 30-day requirement, Mr. McHarg has requested the informal conference after the 30-day period, i.e., after April 22, 2002.

Therefore, UEI requests that the Division deny SUWA's request for informal conference unless it refiles a timely request with a summary of issues to be raised and the informal conference can be held within 30 days of that request.

Finally, UEI asks that if an informal conference is properly requested, that it be held in the locality of the Lila Canyon Mine in Price, Utah. Pursuant to Utah Code Ann. § 40-10-13(2)(b), the "conference shall be held in the locality of the coal mining and reclamation operation if requested . . ." Location of the conference in Price, Utah, will assist UEI in responding to potential objections and will allow attendance by residents and local officials.

We appreciate your consideration in this matter.

Very truly yours,



Denise A. Dragoo

DAD:jmc:205285

cc: Vicky Southwick  
Clyde Borrell  
Jay Marshall  
Herb McHarg, Esq.

*coal file* *OK*

*Incoming*  
*C/007/013*